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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/857,732	08/13/2001	Yannick Burianne	09669/003001	9848
22511	7590	06/01/2005	EXAMINER	
OSHA LIANG L.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010			TRUONG, LECHI	
			ART UNIT	PAPER NUMBER
			2194	

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/857,732

Applicant(s)

BURIANNE, YANNICK

Examiner

LeChi Truong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/12/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-10 are presented for the examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 7, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Admitted Prior Art (APA) in view of Lindsay et al (US. 6,754,670 B1).

3. As to claim 1, APA teaches the invention substantially as claimed including: a memory (memory, page 1, ln 14-34), one application program (one application programs, page 1, ln 14-34), one configurable variable (configurable variable, page 1, ln 14-34), a list (files, page 1, ln 14-34), one reference element (data in the files, page 1, ln 14-34), initializing (initialization, page 1, ln 23-33), configured with several parameter (modifying the values of initializing data with in said files, page 1, ln 25-34), initializing transfers the at least one value to the at least one configuration variable(assigning these data to said variables, page 2, ln 30-31).

4. APA does not explicit teach receiving a command that comprises at least one value to be assigned to at least one configurable variable, the at least one mean for initializing establishing a link between the at least one value comprised in the command and the at least one reference element. However, Lindsay teaches receiving (when the SQL statements are generated and passed to the DBMS. It also contains information which is of use when the database table data is

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to be used in the object oriented system, col 5, ln 4-7/ col 3, ln 1-3), a command that comprises at least one value to be assigned to at least one configurable variable, the at least one mean for initializing establishing a link between the at least one value comprised in the command and the at least one reference element (mapping data value from a relational table column to values in an object oriented environment, col 2, ln 23-26/ col 3, ln 65-67 to col 4, ln 1-7/col 8, ln 39-41).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA and Lindsay because Lindsay's receiving a command that establishing a link between the at least one value comprised in the command and the at least one reference element would improve the flexibility of APA's system by allowing the object oriented system to retain flexibility for accommodate changes in the database which has increased efficiency.

6. As to claim 2, APA teaches configurable variables (configurable variables, page 1, ln 15-22), memory (memory, page 1, ln 15-22).

7. As to claim 3, APA teaches reference element (data, page 1, ln 23-30), a configurable variable (variables, page 1, ln 23-30).

8. As to claim 7, APA teaches initialization means (initialization phase, page 1, ln 23-33).

9. As to claim 10, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

10. Claims 4, 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Lindsay et al (US. Patent 6,754,670 b1), as applied to claim 1 above, and further in view of Parvathaneny et al (US. 5,829,006).

11. **As to claim 4**, APA and Lindsay do not teach configurable variables that are referred to within the same list and which derive from the same parent class. However, Parvathaneny teaches the same list (the hierarchy table, Fig. 3C/ col 7, ln 40-60), the same parent class (class A/ class C, col 7, ln 8-35/ Fig. 3B).

12. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA and Lindsay because Parvathaneny's configurable variables that are referred to within the same list and which derive from the same parent class would improve the efficiency of APA and Lindsay's systems by initializing the attributes of prefetch path objects that are defined by associated prefetch path classes and any supper class and subclasses of the prefetch path class.

13. **As to claim 5**, Parvathaneny teaches at least two configurable variables (a1, a2, Fig. 3b), the same list (the hierarchy table, Fig. 3C/ col 7, ln 40-60), the same class (class A, col 7, ln 8-35/ Fig. 3B).

14. Claims 6, 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Lindsay et al (US. 6,754,670 B1), as applied to claim 1 above, and further in view of Peterson (US. Patent 6,708,181 B1).

15. **As to claim 6**, APA and Lindsay do not teach one initialization means resides within memory irrespective of the application. However, Peterson teaches (the class initialization methods for all classes which need for the core initialization, col 4, ln 15-20).

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16. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Lindsay and Peterson because Peterson's the class initialization methods for all classes which need for the core initialization" would improve the efficiency of APA and Lindsay's systems by preventing duplicates of the initialization process from being performed within each of the class objects.

17. As to claim 8, Peterson teaches initialization means (void class initialization, col 5, ln 5-15), the same language (the object oriented program language, col 3, and ln 11-20).

18. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Admitted Prior Art (APA) in view of Lindsay et al (US. 6,754,670 B1), as applied to claim 1 above, and further in view of Marcelais et al (US. Patent 6,110,227).

19. As to claim 9, APA, Lindsay do not teach command enable reading. However, Marcelais teaches command enable reading (the variable initializes of all such files are pre-processed while the linker processes the data read from the object and/or library files to create a binary image(col 17, ln 36-42).

20. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of APA, Lindsay and Marcelais because Marcelais's command enable reading would increase the efficiency of APA's system by eliminating latency caused by processing the initializer upon start-up of the computer program.

Response to the argument

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21. Applicant's arguments filed 4/10/2004 have been considered but are moot in view of the new ground(s) of rejection. Applicant amended the claims. Lindsay's reference meet the amended claims.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

May 18, 2005


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